

SEP 06 2005

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HOUSTON ELISEEVA

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U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (To be used for all correspondence after initial filing)	Application Number	10/823,173	
	Filing Date	April 13, 2004	
	First Named Inventor	Anthony Nikodym	
	Art Unit	1725	
	Examiner Name	Elve, Maria Alexandra	
Total Number of Pages in This Submission	7	Attorney Docket Number	22176.0003.con

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Amendments/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		ENCLOSURES (Check all that apply) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Landscape Table on CD <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name: Houston Eliseeva LLP Signature: <i>Maria Eliseeva</i> Printed name: Maria Eliseeva Date: September 6, 2005 Reg. No.: 43,328			

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature: *Inna Golovach*
 Typed or printed name: Inna Golovach
 Date: September 6, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004, Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4918).

FEE TRANSMITTAL For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 120

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):

☒ Deposit Account Deposit Account Number: 502233 Deposit Account Name: Houston Eliseeva LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below
☒ Charge any additional fee(s) or underpayments of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee
☐ Credit any overpayments

WARNING: Information and authorization on PTO-2038.

FEE CALCULATION

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description: Each claim over 20 (including Reissues)
 Each independent claim over 3 (including Reissues)
 Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fees Paid (\$)
HP = highest number of total claims paid for, if greater than 20.	Extra Claims <td>Fee (\$) <td>Fees Paid (\$) </td></td>	Fee (\$) <td>Fees Paid (\$) </td>	Fees Paid (\$)
HP = highest number of independent claims paid for, if greater than 3.	Extra Claims <td>Fee (\$) <td>Fees Paid (\$) </td></td>	Fee (\$) <td>Fees Paid (\$) </td>	Fees Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(e).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fees Paid (\$)
HP = highest number of independent claims paid for, if greater than 3.	Extra Sheets <td>Number of each additional 50 or fraction thereof</td> <td>Fee (\$) <td>Fees Paid (\$) </td></td>	Number of each additional 50 or fraction thereof	Fee (\$) <td>Fees Paid (\$) </td>	Fees Paid (\$)

4. OTHER FEES (\$)

Non-English Specification, \$130 fee (no small entity discount)
 Other (e.g., late filing surcharge): One-month extension fee 120.00

SUBMITTED BY

Signature: *Maria Eliseeva* Registration No. 43,328 Telephone 761-663-9991
 Name (Print/Type): Maria Eliseeva Date September 6, 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Received 6 Pgs
out of 7 Pgs

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Anthony Nikodym	Confirmation No:	3730
Serial No:	10/823,173	Group:	1725
Filed:	April 13, 2004	Examiner:	Elve, Maria Alexandra
For:	Straight Polarity Metal Cored Wires		
Customer No.:	29127		
Attorney Docket No.	22176.0003.con		

AMENDMENT AND RESPONSE

VIA FACSIMILE: 571-273-8300
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the pending Office Action, mailed May 3, 2005 (Paper No. 20050429), please amend the above-captioned application as follows:

-amendments to the claims are reflected in the listing of claims in section a);

-comments to the objection to the drawings are set forth in section b); and

Finally, reconsideration is requested in view of the remarks set forth in section c).

One month extension of time is requested with this response.

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